

Calvert, Jennifer L.

From: Dirk.VAN-ERPS@ec.europa.eu
Sent: Tuesday, January 18, 2011 1:20 AM
To: Bryony.Roy@AllenOvery.com; Philip.Mansfield@AllenOvery.com
Subject: FYI: Re TFT-LCD (Flat Panel) Antitrust Litigation, No. M:07-1827 SI: letter from the Director-General of DG Competition of the European Commission
Attachments: 20110118094624577.pdf

From: VAN ERPS Dirk (COMP)
Sent: Tuesday, January 18, 2011 10:18 AM
To: 'Tracy_Forakis@cand.uscourts.gov'
Subject: Re TFT-LCD (Flat Panel) Antitrust Litigation, No. M:07-1827 SI: letter from the Director-General of DG Competition of the European Commission

Dear Mrs Forakis,

Please find attached a letter of the Director General of the Directorate General for Competition of the European Commission.

As you can see, we have asked Hitachi's US lawyers to file it to Judge Illston via the appropriate electronic communication channel. But I would like to ensure that the Judge receives our request for an extension and leave to submit our views under seal in good order.

Yours sincerely,

Dirk Van Erps

From: VAN ERPS Dirk (COMP)
Sent: Tuesday, January 18, 2011 9:54 AM
To: 'kroger@morganlewis.com'; 'jeverett@morganlewis.com'
Cc: 'martinquinn@sbcglobal.net'
Subject: Re TFT-LCD (Flat Panel) Antitrust Litigation, No. M:07-1827 SI: letter from the Director-General of DG Competition of the European Commission

Dear Sirs,

Please find attached a letter of the Director General of the Directorate General for Competition of the European Commission asking Judge Illston for an extension until 15 February to present the view of the services of the European Commission on the Order of Special Master Martin Quinn concerning an in camera review of Hitachi's communication submitted to or received from the Commission.

At the same time, we ask for leave to submit our views under seal.

I would be grateful if you could pass on this letter via the appropriate communication channel to Judge Illston.

Yours faithfully,

For the Director General,

Dirk Van Erps
Head of Unit Cartels II

DG Competition
European Commission
<<20110118094624577.pdf>>



EUROPEAN COMMISSION
DG Competition
Director-General

Brussels, 17 January 2011
COMP/G-2/D/(2011/004855)/DVE/mvk

Honorable Susan Y. Illston
United States District Court
450 Golden Gate Avenue
Courtroom 10, 19th Floor
San Francisco, CA 94102

Submitted via

Morgan Lewis Bockius

In Re TFT-LCD (Flat Panel) Antitrust Litigation, No. M: 07-1827 SI

Dear Judge Illston,

On 6 January 2011, the Directorate General for Competition of the European Commission was informed by the lawyers of the Hitachi company of the Order of Special Master Martin Quinn of 22 December 2010 ordering an in camera review of communication submitted to or received from the Commission as well as his Order of 5 January 2011 setting out a schedule for hearing any objections on the Order of 22 December 2010 in the above-mentioned case.

The Directorate General for Competition is preparing a document representing the views of the services of the European Commission on the Order of the Special Master of 22 December 2010.

I understand that the Special Master provided on his own motion to the European Commission a deadline to submit possible observations until 18 January 2011.

However, given the complexity of the matter and the need for the services of the European Commission to respect the internal decision-making procedures of the European Commission, I would like to request an extension to submit our views until 15 February 2011.

At the same time, because of the sensitive and confidential nature of some information the disclosure of which is being ordered, I would like to request your leave to submit our views under seal. We consider this leave to file under seal necessary in order to enable us to provide you with as much information as possible and so help you to decide the substance of our concerns on a more complete factual basis. The services of the European

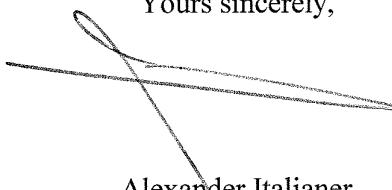
Commission européenne, DG COMP GREFFE ANTITRUST, B-1049 Bruxelles, Belgique
Europese Commissie, DG COMP GREFFE ANTITRUST, B-1049 Brussel, België

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Commission will provide you also with a redacted version for the public file. The redacted passages will refer to certain confidential information on the European Commission's ongoing investigation in a TFT-LCD (Flat Panel) cartel which we cannot make available to the parties yet.

A copy of the present request is sent also to the Special Master, Mr. Martin Quinn.

Yours sincerely,



Alexander Italianer

